



DEPARTMENT OF BUILDING AND DEVELOPMENT  
STAFF REPORT

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**PLANNING COMMISSION PUBLIC HEARING**

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**DATE OF HEARING:** January 26, 2011

**CASE NUMBER/CASE NAME:** ZOAM 2010-0004, Large Retail Establishments

**DECISION DEADLINE:** At the Pleasure of the Board

**ELECTION DISTRICT:** Countywide

**PROJECT PLANNERS:** Michelle Lohr  
Marilee Seigfried

**EXECUTIVE SUMMARY**

On September 1, 2009, the Board of Supervisors adopted a Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance) to require retail establishments of greater than 75,000 square feet to obtain special exception approval. (Attachment 1)

The proposed amendments would (1) amend the permitted and special exception use lists in the RC (Rural Commercial), Planned Development Commercial Center-Community Center (PD-CC-CC), Planned Development Commercial Center – Small Regional Center (PD-CC-SC), Planned Development Commercial Center – Regional Center (PD-CC-RC), Planned Development Town Center (PD-TC), Planned Development-Transit Related Employment Center (PD-TREC), Planned Development Transit Related Center (PD-TRC), and Planned Development – Mixed Use Development (PD-MUB) districts; (2) establish new Additional Regulations Section 5-661 to establish locational and site development criteria and exterior lighting, noise, landscaping/buffering/screening, and parking standards for such Special Exception uses; 3) amend Article 8, *Definitions*, to revise the definitions of “Retail Sales Establishment”, “Food Store”, “Retail, Construction Establishment”, and other definitions and add new definitions for “Retail sales establishment (large)” and “Retail, construction establishment (large)”; and 4) amend such other sections of the Zoning Ordinance as necessary to implement and maintain consistency with the foregoing amendments. Draft text is included in Attachment 2.

**SUGGESTED MOTIONS**

1. I move that the Planning Commission forward ZOAM 2010-0004 to the Board of Supervisors with a recommendation of approval of the text amendments included in Attachment 2.

OR

2. I move that the Planning Commission forward ZOAM 2010-0004 to Committee for further discussion.

OR

3. I move an alternate motion.

## I. BACKGROUND

This text amendment was initiated by Supervisor Miller at the November 18, 2008 Board of Supervisors meeting where he presented information describing how Fairfax County, Prince William County and Montgomery County regulate large retail establishments. (Attachment 3) The original proposal presented by Supervisor Miller was used as a basis to draft the zoning amendments. The Board of Supervisors approved Supervisor Miller's initiative for staff to present options for amending the zoning ordinance to require a special exception for large retail establishments of more than 75,000 square feet and further consider implementing standards related to design and impact mitigation. On January 26, 2009, at the Transportation and Land Use Committee, staff recommended that no further action be taken on the November 18, 2008 motion due to minimal impacts that may be realized from the amendment. After a review of the background of planning and zoning conditions relative to retail uses, the Committee voted to take no action at that time. On May 26, 2009, at the Transportation and Land Use Committee, a request to reconsider this possible zoning ordinance amendment was reintroduced and the Committee voted to recommend that the Board of Supervisors direct staff to prepare a Resolution of Intent to amend the Zoning Ordinance. On June 16, 2009, the Board of Supervisors directed Staff to prepare a Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance to manage the size of large retail establishments by requiring special exception approval for retail sales establishments in excess of 75,000 square feet. On September 1, 2009, the Board of Supervisors voted 7-2 (Waters and Delgaudio opposed) to approve a Resolution of Intent to Amend the Zoning Ordinance to require a special exception for retail establishments over 75,000 square feet. (Staff Report is included in Attachment 4.)

At its October 19, 2010 meeting the Board of Supervisors discussed the timeline for review of the Large Retail Amendment and directed staff to bring the item to public hearing before the Planning Commission in January. This direction was restated by the Board of Supervisors at its meeting November 3, 2010 at which time staff was directed to double-advertise the public hearing for a Board of Supervisors public hearing in February with the understanding that, if the Planning Commission decides more time is necessary to review the amendment, the Board of Supervisors public hearing may be postponed.

## II. APPLICABILITY

Pursuant to Section 1-103(N) of the Revised 1993 Loudoun County Zoning Ordinance, a number of commercially and industrially zoned properties located in the Route 28 Transportation Improvement District continue to be governed by either the 1972 Loudoun County Zoning Ordinance or the 1993 Loudoun County Zoning Ordinance. Therefore, the text amendments proposed in conjunction with ZOAM 2010-0004 will not apply to properties administered under the 1972 and 1993 Zoning Ordinances. The amendment apply only to properties subject to the current Revised 1993 Loudoun County Zoning Ordinance.

The County's existing large retail establishments are currently located within the PD-CH (Planned Development-Commercial Highway), PD-SC (Planned Development-Shopping Center), PD-CC-SC (Planned Development-Commercial Center-Small Regional Center), and PD-CC-RC (Planned Development-Commercial Center-Regional Center) zoning districts. Properties zoned PD-CH and PD-SC are located in the Route 28 Tax District, which, as stated above, will not be affected by this proposed amendment. Properties zoned PD-CC-SC and PD-

CC-RC are either subject to proffered concept plans or other proffered documents; they also may not be affected by this proposed amendment. Any changes to these proffers require Board approval. Attachment 5 illustrates where these zoning districts are located.

### III. EXISTING REQUIREMENTS FOR RETAIL

The Revised 1993 Zoning Ordinance currently permits retail establishments including the uses "Retail sales establishment", "Food store", "Pharmacy" and "Construction retail establishment" in various districts. The RC, PD-CC-NC, PD-CC-CC, PD-CC-SC, PD-CC-RC, PD-TC, PD-TREC, PD-TRC, and PD-MUB districts each permit the use "retail sales establishment" and some also specify the uses "Food store", "Pharmacy", and "Construction retail establishment". In the CLI district, retail sales establishments are only permitted by special exception. Attachment 6 lists the districts and the retail uses that are permitted in those districts.

There are currently no maximum size requirements for retail uses within the PD-CC-CC, PD-CC-SC, PD-CC-RC, PD-TC, PD-TREC, PD-TRC and PD-MUB Districts with two exceptions: (1) the PD-TREC establishes (a) a 15,000 sq. ft. maximum for single-story retail uses in both the Inner and Outer Cores and (b) any Food store in the Outer Core requires a special exception if greater than 10,000 sq. ft. and (2) the PD-TRC Transit Designed Supportive Area subarea requires a special exception for any retail use in excess of 10,000 sq. ft, excluding Food stores. The Planned Development-Commercial Center-Neighborhood Center (PD-CC-NC) and the Rural Commercial (RC) districts require a special exception for any one use in excess of 5,000 square feet and 10,000 square feet respectively.

No specific standards for retail uses are in the Zoning Ordinance, thus only the general district regulations and parking and screening requirements apply to such uses. For those districts that currently require a special exception for retail uses or for those of a certain size, conditions may be placed on the use to help mitigate potential impacts.

### IV. SUMMARY OF PROPOSED TEXT CHANGES

The following is a brief description of the proposed Amendments to the Zoning Ordinance. Attachment 2 includes the specific revisions in the proposed draft text.

A. Revise the use lists to require Special Exception approval for retail uses in excess of 75,000 sq. ft.

The proposal is to revise the use lists in RC, PD-CC-CC, PD-CC-SC, PD-CC-RC, PD-TC, PD-TREC, PD-TRC, PD-MUB to distinguish between permitted retail uses and large retail uses permitted by special exception.

B. Establish Section 5-661, Additional Regulations for Retail Sales Establishment, Large

The proposed language establishes additional regulations for Retail Sales Establishment, Large as follows:

- (1) The use must be compatible with the surrounding area, particularly with regard to traffic circulation, parking, buffering and appearance.
- (2) Require the scale, massing, and building design to be compatible with the surrounding developments.

- (3) The building shall be oriented toward the street with pedestrian entrances from the street.
- (4) Architectural detailing shall be incorporated into all facades so as to avoid a blank or monotonous appearance on any façade
- (5) Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood and shall not be visible from the street.
- (6) Parking shall be located behind the front line of the principal building.
- (7) All business, service, storage, and display of goods shall be conducted within a completely enclosed building.
- (8) In accordance with Section 5-600, the Board of Supervisors, through the Minor Special Exception process, may modify any of the above requirements upon a finding that such modification to the regulations will achieve an innovated design, improve upon the existing regulations, preserve the County's historic or archeological heritage, or otherwise exceed the public purpose of the existing regulations.

C. Amend Article 8, Definitions of Retail Sales Establishment, Food Store and Construction Retail Establishment

The proposal is to amend the definitions of Retail Sales Establishment, Food Store and Construction Retail Establishment to clarify that a special exception is required such uses in excess of 75,000 square feet.

D. Establish Definition of Retail Sales Establishment (large) and Construction Retail Establishment (large)

The proposal is to establish a definition for Retail Sales Establishment (large) and Construction Retail Establishment (large), to clarify that the use is greater than 75,000 square feet. Such use is proposed to be subject to the Additional Regulations of Section 5-661.

## V. COUNTY AGENCY INPUT

Comprehensive Planning. Comprehensive Plan policies generally limit the development of large-scale retail uses within the County to areas within a Destination Retail Area and Overlay or designated for Hybrid Retail Center uses as shown on the Planned Land Use maps (Attachments 7 and 8). Community Planning provided comments on the proposed draft text amendments that are included in Attachment 9. The referral states that large scale destination retail uses typically demand a regional market and rely almost solely on automobile access. Thus, they are planned to be located along planned and future principal arterial corridors where the County's transportation network can best accommodate auto intensive retail uses. The policies of the Countywide Retail Policy Plan Amendment (Retail Plan) pertaining to Corridor-Based Retail uses focus on mitigating the negative impacts of large scale retail development, accommodating new retail forms such as big box retail and warehouse clubs, and expanding opportunities for appropriate retail development in industrial areas. "The Retail Plan further anticipates a high quality architectural design for proposed retail developments, including the provision of recesses and offsets to reduce the building massing; a preference for pitched, mansard, and other distinctive roof forms; the screening of rooftop and/or ground-mounted mechanical equipment; and the provision of measures to provide pedestrian weather protection, such as a continuous arcade."

Community Planning staff states that the requirement for large scale retail uses larger than 75,000 square feet to obtain Special Exception approval does not conflict with the policies outlined in the Revised General Plan or the Retail Plan. Further, the location criteria, site development criteria and design standards as proposed in the draft ordinance conform to the design guidelines as outlined in the Retail Plan and would help facilitate compatible retail design. Staff points out that, as currently drafted, the amendment will apply not only to freestanding, destination retail uses, but also to anchor stores, including grocery stores within residential community shopping centers. Staff notes that to establish a new large retail use, in most cases a property will be required to rezone to a commercial zoning district which enables the Board to negotiate the terms of development in order to mitigate potential impacts. A benefit of the special exception process would be the ability to unilaterally apply conditions of approval rather than to rely on proffers to achieve compatible design.

Department of Economic Development. The Department of Economic Development provided comments on the proposed draft text amendments that are included in Attachment 10. The referral states that retail is important in communities to provide jobs, amenities and shopping near where we live. Big box stores are often critical for the overall success of the business model of a shopping center. Staff cautions that additional zoning restrictions may serve as a disincentive to large retail locating within the County. The effect of the amendments on existing centers is a key issue for the eventual redevelopment of older shopping centers and could result in extended periods of time where large stores sit vacant because of difficulty in recruiting new tenants.

The special exception process is time and resource consuming for the development. Staff recommends establishing administrative standards rather than requiring the legislative special exception process.

## VI. ISSUES

- A. Applicability of Ordinance. The proposed amendments would apply only to properties administered under the current Revised 1993 Loudoun County Zoning Ordinance. The amendments will not apply to property within the Route 28 Tax District, unless they elect to rezone into the current ordinance. Major retail uses that have developed in the Route 28 and Route 7 corridors that would not be affected by this amendment include: Dulles Town Center, Dulles Town Crossing and Dulles 28 Center, Potomac Run Plaza, Costco and Regal Plaza/Park City Center.
- B. Effect on proffered shopping centers. The effect of the proposed ordinance amendments would have to be evaluated on a case-by-case basis, however, in general, the proposed amendments would not apply to proffered developments that anticipated large retail establishments on their concept plan. The amendments would apply if large retail uses were not specified in the approval documents. For example, if a plan simply stated that "retail" was to be developed, the proposed amendment would apply. Examples of developments approved north of Route 50 and west of Loudoun County Parkway that have approved concept development plans that anticipated large retail are Dulles Landing and Arcola Center. Dulles Landing, comprised of approximately 800,000 square feet includes two individual tenants exceeding 75,000 square feet, including a 203,000 square foot WalMart.

Arcola Center is comprised of approximately 660,000 square feet, including a 185,000 square foot Target and a 139,000 square foot Lowes.

Three smaller centers with approved concept development plans are located south of Route 50: East Gate Two, Avonlea Plaza, and Stone Ridge North Retail Center. East Gate Two was approved for approximately 203,000 square feet of retail and office uses: the proffered Design Guidelines include elements such as building compatibility, design, massing and screening. Avonlea Plaza was approved for approximately 300,000 square feet of retail uses: the proffered concept plan shows potential large retail. Stone Ridge North Retail Center was approved for approximately 300,000 square feet, site plans have been approved for approximately 143,000 square feet.

- C. Applicability of Special Exception Requirement to Existing Large Retail Establishments. In accordance with Section 1-103(F)(2), any lawfully existing use which shall become a special exception use shall be deemed to have special exception approval. Expansion of the use would require special exception approval. If adopted, existing retail sales establishments (including food stores and pharmacies) and construction retail establishments in excess of 75,000 square feet would be permitted to continue as if they had special exception approval and would be considered nonconforming uses. Section 1-402(A) states that a nonconforming use "shall not be expanded or extended beyond the floor area or portion of the lot area that it occupied on the effective date of this Ordinance." Any expansion of the use would require a special exception.
- D. Discontinuation of Nonconforming Use. In accordance with Section 1-403(B) "If a nonconforming use is discontinued or abandoned for a continuous period of more than two (2) years, including any period of discontinuation before the effective date of this Ordinance, then that use shall not be renewed or re-established and any subsequent use of the lot or structure shall conform to the regulations of this Ordinance." Thus, if an existing retail use in excess of 75,000 square feet discontinued for a period of greater than two years, to reestablish the use, the Zoning Ordinance requirements in effect at the time of the reestablishment of the use would apply and a special exception would be required.
- E. Conditions on Special Exception Uses. In those district that currently require a special exception for retail uses, the Board of Supervisors may impose conditions, including any or all of the proposed Additional Standards of Section 5-661, whether or not the use is greater than 75,000 sq. ft.

## VII. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(D) of the Zoning Ordinance states "...for an amendment to the text of this Ordinance, the Planning Commission shall consider the following matters...":

Standard: *Whether the proposed text amendment is consistent with the Comprehensive Plan.*

Analysis: The Revised General Plan provides the basis for evaluating land development proposals, is the foundation for amendments to the Zoning Ordinance, and ensures that the County's goals are implemented through the regulatory process. In accordance with the referral from Community Planning, Attachment 9, requiring large scale retail uses larger than 75,000 square feet to be considered by Special

Exception does not conflict with the policies outlined in the Revised General Plan or the Retail Plan. Further, the location criteria, site development criteria and design standards as proposed in Section 5-661, conform to the design guidelines as outlined in the Retail Plan and would help facilitate compatible retail design.

Standard: *Whether the proposed text amendment is consistent with the intent and purpose of this Ordinance.*

Analysis: The intent of this Ordinance is defined under Section 1-102, which states: "*This Ordinance is enacted in order to promote the health, safety and welfare of the residents of Loudoun County and to implement the Loudoun County Comprehensive Plan.*" The proposed amendments are designed to promote the health, safety and welfare of the residents of Loudoun County. Section 1-102(B) states that the Ordinance is designed to "*Protect the established character and the social and economic well-being of both private and public property.*" Section 1-102(F) states that the Ordinance is designed to *Facilitate the creation of a convenient, attractive and harmonious community.*" The requirement for a special exception to locate and/or expand large retail establishments within the county will protect the character of Loudoun County and to help create a convenient, attractive and harmonious community.

#### **VIII. RECOMMENDED TEXT**

Attachment 2 includes the proposed draft regulations.

#### **XI. STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward ZOAM 2010-0004 to the Board of Supervisors with the recommendation of approval of all proposed text amendments.

#### **X. ATTACHMENTS**

<b>Number</b>	<b>Description</b>	<b>Page</b>
1.	Copy Teste and Resolution of Intent to Amend the Zoning Ordinance, September 1, 2009.	A1-A2
2.	Proposed Zoning Ordinance Amendments, dated January 4, 2011.	A3-A30
3.	Board of Supervisors Action Item, Board Member Initiative, November 18, 2008.	A31-A78
4.	Board of Supervisors Action Item on Resolution of Intent to Amend The Zoning Ordinance, September 1, 2009.	A79-A103
5.	Location of PD-CC-SC and PD-CC-RC Zoning districts permitting retail	A104
6.	List of districts permitting retail	A105
7.	Planned Land Use Map	A106
8.	Planned Land Use Map (Arcola/Route 50)	A107

**ZOAM 2010--0004**  
**LARGE RETAIL ESTABLISHMENTS**  
**JANUARY 26, 2011 PLANNING COMMISSION PUBLIC HEARING**

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| 9.  | Referral, Community Planning, Department of Planning | A108-A109 |
| 10. | Referral, Department of Economic Development         | A110-A111 |





Loudoun County, Virginia

[www.loudoun.gov](http://www.loudoun.gov)

Office of the County Administrator

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, September 1, 2009 at 9:00 a.m.

IN RE: RESOLUTION OF INTENT TO AMEND THE REVISED 1993 ZONING ORDINANCE AS NECESSARY, TO REQUIRE SPECIAL EXCEPTION APPROVAL FOR LARGE RETAIL ESTABLISHMENTS

Mr. Miller moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Zoning Ordinance, as necessary, as contained in Attachment 1A, to implement new regulations to require special exception approval for large retail establishments.

Seconded by Mrs. Burk.

Voting on the Motion: Supervisors Buckley, Burk, Burton, Kurtz, McGimsey, Miller and York – Yes; Supervisors Delgaudio and Waters – No.

A COPY TESTE:

Janette Sievert  
DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS

(11- Resolution of Intent to Amend the Revised 1993 Ordinance, as Necessary to Require Special Exception Approval for Large Retail Establishments)

## Item 11- Attachment 1(A)

Date: September 1, 2009

**BOARD OF SUPERVISORS OF LOUDOUN COUNTY  
RESOLUTION OF INTENT TO AMEND THE ZONING ORDINANCE**

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Revised 1993 Loudoun County Zoning Ordinance in furtherance of the purposes of zoning as set out in § 15.2-2283 of the Code of Virginia and to further implement the comprehensive plan; and

WHEREAS, the Board of Supervisors wish to initiate amendments to the Revised 1993 Loudoun County Zoning Ordinance to manage the size of Large Retail Establishments through the special exception process in order to support local businesses, reduce traffic impacts, and minimize the monotony of single occupancy big box stores; and

WHEREAS, the Board of Supervisors wishes to initiate a change to the Revised 1993 Loudoun County Zoning Ordinance to add "Large Retail Establishments" as a Special Exception use in the Planned Development Commercial Center -Community Center (PD-CC-CC), Planned Development Commercial Center – Small Regional Center (PD-CC-SC), Planned Development Commercial Center – Regional Center (PD-CC-RC), Planned Development Town Center (PD-TC), Planned Development Transit Related Employment Center (PD-TREC), Planned Development Transit Related Center (PD-TRC), Planned Development Mixed Use Development (PD-MUD) *and other districts as described below*; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors states its intention to amend the Revised 1993 Loudoun County Zoning Ordinance to adopt new or revised provisions on the following matters:

1. Revise Sections 2-903, 4-203(B)(C)(D), 4-204(B)(C)(D), 4-803, 4-804, 4-1004, 4-1005, 4-1104, 4-1105, 4-1353 and 4-1354 to distinguish between retail and large retail establishments.
2. Revise Section 5-600 to add additional regulations for "Large Retail Establishment."
3. Revise and/or add definitions to Article 8 as necessary to define terminology used in the proposed amendments.
4. Revise other Sections to clearly establish that any retail establishment of greater than 75,000 square feet will require a special exception in any district that allows retail uses, regardless of existing individual district regulations that may be more restrictive.
5. Revise other Sections as necessary to implement and maintain consistency with the foregoing amendments.

**Section 2-900**

**RC Rural Commercial District.**

**2-903**

**Permitted Uses.** The following uses are permitted in this district:

- (A) Agriculture, horticulture, forestry or fishery, pursuant to Section 5-626.
- (B) Art gallery.
- (C) Business service establishment.
- (D) Community center.
- (E) Convenience food store, without gas pumps, pursuant to Section 5-617.
- (F) Farm market, pursuant to Section 5-603.
- (G) Farm machinery sales and service, pursuant to Section 5-615.
- (H) Nursery, commercial, pursuant to Section 5-605.
- (I) Personal service establishment.
- (J) Post office, drop off and pick up.
- (K) Public utility service center, without outdoor storage.
- (L) Recycling collection center, small, pursuant to Section 5-607.
- (M) Restaurant, including carry out.
- (N) Residential uses.
- (O) Retail sales establishment, maximum 10,000 sq. ft.
- (P) Studio space - artist, crafts person, writer, etc.
- (Q) Bank or financial institution, pursuant to Section 5-659.
- (R) Theatre, indoor.
- (S) Home service establishment.
- (T) Office, administrative, business, and professional.
- (U) Office, medical and dental.
- (V) Park.
- (W) Veterinary service.
- (X) Wayside stand.

- (Y) Commuter parking lot.
- (Z) Facilities for lessons in dance, gymnastics, judo, and sports training.
- (AA) Utility substation, dedicated.
- (BB) Animal hospital.
- (CC) Church, synagogue, and temple.
- (DD) Dwelling, accessory to a permitted or special exception use.
- (EE) Farm supplies.
- (FF) Printing service.
- (GG) Water pumping station, pursuant to Section 5-621.
- (HH) Sewer pumping station, pursuant to Section 5-621.
- (II) Food store, maximum 10,000 sq. ft.
- (JJ) Library.
- (KK) Telecommunications antenna, pursuant to Section 5-618(A).
- (LL) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (MM) Contractor's Service Establishment, limited to landscape contractors and lawn maintenance services.
- (NN) Mill, feed and grain.
- (OO) Training Facility, accessory to a permitted or special exception use.

## 2-904

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300.

- (A) Any one permitted use in excess of 10,000 sq. ft. in gross floor area provided that agricultural uses, mill, feed and grain, farm supplies, farm market, and farm machinery sales and service are not subject to this limit.
- (B) Auction facility, livestock.
- (C) Automobile service station.
- (D) Funeral home or mortuary.

- (E) Private club or lodge.
- (F) Motor vehicle sales and accessory service.
- (G) Hotel/Motel.
- (H) Motor vehicle service and repair, accessory to an approved use.
- (I) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (J) Recreation establishment, outdoor.
- (K) Fire and/or rescue station.
- (L) Mass transit facilities and stations.
- (M) Adult daycare center.
- (N) Child care center, pursuant to Section 5-609.
- (O) Recreation establishment, indoor.
- (P) Auction house.
- (Q) Sewage treatment plant, pursuant to Section 5-621.
- (R) Water treatment plant, pursuant to Section 5-621.
- (S) Water storage tank, pursuant to Section 5-621.
- (T) Crematorium, pursuant to Section 5-637.
- (U) School, private, accessory to a church.
- (V) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (W) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (X) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (Y) Police Station.
- (Z) Training Facility.

**Section 4-200**

**PD-CC Planned Development - Commercial Center.**

**4-203**

**Permitted Uses.** The following uses shall be permitted in each type of shopping center subject to the requirements and limitations of these regulations.

**(A) Neighborhood Center.**

- (1) Adult day care center.
- (2) Bank or financial institution, pursuant to Section 5-659.
- (3) Child care center, pursuant to Section 5-609.
- (4) Convenience food store without gas pumps, pursuant to Section 5-617.
- (5) Personal service establishment.
- (6) Pharmacy, pursuant to Section 5-659.
- (7) Recycling drop-off collection center, small, pursuant to 5-607(A).
- (8) Restaurant.
- (9) Community center.
- (10) Office, administrative, business, professional, medical and dental, not to exceed 20% of the gross floor area of the neighborhood center.
- (11) Agriculture, horticulture, forestry, and fishery.
- (12) Art gallery.
- (13) Business service establishment.
- (14) Commuter parking lot.
- (15) Facility for lessons in dance, gymnastics, judo, and sports training.
- (16) Food store.
- (17) Health and fitness center.
- (18) Home service establishment.
- (19) Medical care facility, outpatient only.
- (20) Park.

- (21) Post office, drop off and pick up.
- (22) Restaurant, carry-out only.
- (23) Retail sales establishment.
- (24) Studio space - artist, crafts person, writer, etc.
- (25) Utility substation, dedicated.
- (26) Water pumping station.
- (27) Printing service.
- (28) Sewage pumping station.
- (29) Construction retail establishment.
- (30) Telecommunications antenna, pursuant to Section 5-618(A).
- (31) Training Facility, accessory to a permitted or special exception use.
- (32) Interactive Science & Technology Center.

**(B) Community Center.**

- (1) All uses permitted in a Neighborhood Center, excluding: the following:
  - (a) Construction retail establishment.
- (2) Theater, indoor.
- (3) Bowling alley.
- (4) Library.
- (5) Recreation establishment, indoor.
- (6) Restaurant, dinner theatre.
- (7) Private club or lodge.
- (8) Public utility service center, without outdoor storage.
- (9) Radio and television recording studio.

(10) Food store, maximum 75,000 sq. ft., pursuant to Section 5-661.

(11) Retail sales establishment, maximum 75,000 sq. ft., pursuant to Section 5-661.

**(C) Small Regional Center.**

- (1) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment, maximum 75,000 sq. ft.
- (2) Motor vehicle sales and accessory service.
- (3) Car Wash.
- (4) Motor vehicle service and repair, light.
- (5) Restaurant, with drive-through facility.
- (6) Restaurant, carry-out only.
- (7) Motorcycle or ATV sales, rental, repair and associated service.
- (8) Training Facility.

**(D) Regional Center.**

- (1) Office, administrative, business and professional, medical and dental, but not to exceed twenty percent (20%) of the gross floor area of the regional center.
- (2) All uses permitted in a Neighborhood or Community Center, including a Construction retail establishment, maximum 75,000 sq. ft., but excluding the following:
  - (a) Home service establishment.
- (3) Motor vehicle service and repair, light.
- (4) Car wash.
- (5) Restaurant, with drive-through facility.
- (6) Restaurant, carry-out only.
- (7) Training Facility.

**4-204**

**Special Exception Uses.** The following uses may be permitted by the Board of Supervisors, and if approved, may be subject to certain conditions, pursuant to Section 6-1300.



**(A) Neighborhood Center.**

- (1) Any one permitted use in excess of 5,000 sq.ft. in gross floor area.
- (2) Any one permitted use which exceeds fifty percent (50%) of the gross floor area of the neighborhood center in which it is located.
- (3) Any compatible use which serves the immediate neighborhood and is not a use already listed for any district in the Zoning Ordinance.
- (4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (5) Automotive service station.
- (6) Outdoor sales area, accessory.
- (7) Recreation establishment, indoor.
- (8) Fire and/or rescue station.
- (9) Mass transit facilities and stations.
- (10) Public utility service center, without outdoor storage.
- (11) Veterinary service.
- (12) Animal hospital or day care center for pets.
- (13) Water storage tank.
- (14) Water treatment plant.
- (15) Sewage treatment plant.
- (16) Crematorium.
- (17) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (18) Police station.
- (19) Office, administrative, business, professional, medical and dental in excess of 20% of the gross floor areas of the neighborhood center.
- (20) Training Facility.

**(B) Community Center.**

- (1) Any compatible use which serves the surrounding community and is not a use already listed for any district in the Zoning Ordinance.
- (2) Automobile service station.
- (3) Office, administrative, business, professional, medical and dental, in excess of twenty percent (20%) of the total floor space of the community center.
- (4) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (5) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (6) Outdoor sales area, accessory.
- (7) Fire and/or rescue station.
- (8) Mass transit facilities and stations.
- (9) Restaurant, with drive-through facilities.
- (10) Veterinary service.
- (11) Animal hospital.
- (12) Sewage treatment plant.
- (13) Water treatment plant.
- (14) Water storage tank.
- (15) Crematorium.
- (16) Construction retail establishment.
- (17) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (18) Police station.
- (19) Training Facility.
- (20) Retail Sales Establishment, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (21) Food store, greater than 75,000 sq. ft., pursuant to Section 5-661.

(C) **Small Regional Center.**

- (1) Same as Community Center, excluding the following:

- (a) Construction retail establishment, maximum 75,000 sq. ft..
  - (2) Kennel, Indoor, pursuant to Section 5-606.
  - (3) Hotel/Motel, pursuant to Section 5-611.
  - (4) Motor vehicle rental, with outdoor storage only.
  - (5) Construction retail establishment, greater than 75,000 sq. ft..
- (D) **Regional Center.**
- (1) Same as Small Regional Center.

**Section 4-800**

**PD-TC Planned Development - Town Center.**

**4-803**

**Permitted Uses.**

- (A) The following uses are permitted within the Town Center Core:
- (1) Art gallery.
  - (2) Theater, indoor.
  - (3) Bank or financial institution, pursuant to Section 5-659.
  - (4) Business service establishment.
  - (5) Child care center, pursuant to Section 5-609(B).
  - (6) Community center.
  - (7) Conference or training center.
  - (8) Congregate housing facility.
  - (9) Restaurant, dinner theater.
  - (10) Dwellings above first floor of permitted commercial uses.
  - (11) Educational institution.
  - (12) Facility for dance, gymnastics, judo and sports training.
  - (13) Health and fitness center.
  - (14) Hotel/Motel, pursuant to Section 5-611.
  - (15) Library.
  - (16) Office, medical and dental.
  - (17) Dwelling, multi-family.
  - (18) Commuter parking lot.
  - (19) Performance arts center.
  - (20) Personal service establishment.
  - (21) Post office, drop off and pick up.
  - (22) Park.

- (23) Recycling drop-off collection center, small, pursuant to Section 5-607 (A).
  - (24) Restaurant.
  - (25) Retail sales establishment, maximum 75,000 sq. ft.
  - (26) Recreational establishment, outdoor or indoor.
  - (27) Convenience food store, without gas pumps, pursuant to Section 5-617.
  - (28) Radio and television recording studio.
  - (29) Pharmacy, maximum 75,000 sq. ft., pursuant to Section 5-659.
  - (30) Printing service.
  - (31) Adult day care center.
  - (32) Agriculture, horticulture, forestry, or fishery.
  - (33) Dwelling, single-family attached.
  - (34) Food store, maximum 75,000 sq. ft.
  - (35) Off-street parking facility, freestanding.
  - (36) Public utility service center, without outdoor storage.
  - (37) Restaurant, carry-out only.
  - (38) Restaurant, with drive through facilities.
  - (39) Studio space - artist, crafts person, writer.
  - (40) Office, administrative, business, and professional.
  - (41) Museum, cultural center, arboretum.
  - (42) Water pumping station.
  - (43) Utility substation, dedicated.
  - (44) Sewer pumping station.
  - (45) Church, synagogue, and temple.
  - (46) Telecommunications antenna, pursuant to Section 5-618(A).
- (B) The following uses are permitted within the Town Center Fringe:

- (1) All uses permitted in the Town Center Core.
- (2) Bowling alley.
- (3) Motor vehicle service and repair, accessory to an approved use.
- (4) Skating rink, indoor and outdoor.
- (5) Dwelling, single family detached.
- (6) Private club or lodge.
- (7) Utility substation, distribution, pursuant to Section 5-616.
- (8) Construction retail establishment, maximum 75,000 sq. ft.

**4-804**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors pursuant to the provision in Section 6-1300.

(A) Within the Town Center Core:

- (1) Hospital, pursuant to Section 5-610.
- (2) Radio, radar and/or television tower.
- (3) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (4) Recycling drop off collection center, large, pursuant to Section 5-607(B).
- (5) Fire and/or rescue station.
- (6) Mass transit facilities and stations.
- (7) Medical care facility, outpatient only.
- (8) Automotive service station.
- (9) School.
- (10) Veterinary service.
- (11) Animal hospital.
- (12) Private club or lodge.
- (13) Sewage treatment plant.
- (14) Water treatment plant.
- (15) Water storage tank.

- (16) Crematorium.
- (17) School, private, accessory to a church.
- (18) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (19) Police station.
- (20) Hotel/Motel.
- (21) Food store, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (22) Retail sales establishment, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (23) Pharmacy, greater than 75,000 sq. ft., pursuant to Section 5-661.

(B) Within the Town Center Fringe:

- (1) Car wash.
- (2) Funeral home or mortuary.
- (3) Radio, radar and/or television tower.
- (4) School.
- (5) Utility substation, transmission, pursuant to Section 5-616.
- (6) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (7) Automotive service station.
- (8) Congregate housing facility.
- (9) Child care center, pursuant to Section 5-609.
- (10) Hospital, pursuant to Section 5-610.
- (11) Church, synagogue, and temple.
- (12) Gas pumps accessory to a convenience food store, pursuant to Section 5-617.
- (13) Fire and/or rescue station.
- (14) Golf course.
- (15) Mass transit facilities and stations.
- (16) Medical care facility, outpatient only.

- (17) Hotel/Motel.
- (18) Off-street parking facility, freestanding.
- (19) Restaurant, with drive-through facilities.
- (20) Veterinary service.
- (21) Animal hospital.
- (22) Water treatment plant.
- (23) Sewage treatment plant.
- (24) Water storage tank.
- (25) Crematorium.
- (26) School, private, accessory to a church.
- (27) Car wash, accessory to a convenience food store, pursuant to Section 5-617.
- (28) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (29) Police station.
- (30) Food Store, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (31) Pharmacy, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (32) Retail sales establishment, greater than 75,000 sq. ft., pursuant to Section 5-661.



**Section 4-1000**

**PD-TREC Planned Development - Transit Related Employment Center.**

**4-1004**

**Permitted Uses.**

- (A) The following uses are permitted within both the Inner Core and Outer Core subareas:
- (1) Animal hospital (7,500 sq. ft. or less), in a completely enclosed facility, but permitted only in the Outer Core subarea.
  - (2) Ambulatory retail or food/beverage vendors and mobile vending carts, pursuant to Section 4-1010(A).
  - (3) Art gallery.
  - (4) Auction House, pursuant to Section 4-1010(B).
  - (5) Automobile car sharing agency, with on-site automobile storage not to exceed 10 cars.
  - (6) Automobile rental agency, with on-site automobile storage not to exceed 10 cars.
  - (7) Bank or financial institution, excluding drive-through facilities.
  - (8) Business service establishment.
  - (9) Child care facilities, pursuant to Section 5-609, or adult day care center.
  - (10) Church, synagogue, and temple.
  - (11) Civic, social and fraternal association meeting place.
  - (12) College, university, 50,000 sq. ft. or less (exclusive of on-site student, faculty and/or employee housing facilities).
  - (13) Community center.
  - (14) Conference, or training center.
  - (15) Convenience food store, excluding drive-through facilities and accessory gas pumps.
  - (16) Convention or exhibition facility associated only with a hotel/motel, not exceeding the foot print of the hotel/motel and located above or below the first floor.
  - (17) Cultural amenities, e.g. fountains, ice rinks, reflecting pools.

- (18) Educational institution, less than 50,000 sq. ft.
- (19) Establishments for general research, scientific research, development and/or training where assembly, integration and testing of products in a completely enclosed building are incidental to the principal use of scientific research, development and training.
- (20) Facility for lessons in dance, gymnastics, judo and sports training (less than 5,000 square feet).
- (21) Fire, police and/or rescue station.
- (22) Health and fitness center.
- (23) Home service establishment.
- (24) Hotel/Motel, pursuant to Section 4-1010(C).
- (25) Library.
- (26) Medical care facility, outpatient only.
- (27) Museum, cultural center, arboretum.
- (28) Offices, administrative, business, and professional.
- (29) Off-street parking facilities, freestanding, in an above-ground or below-ground parking structure only.
- (30) Park, playground or plaza (public or private).
- (31) Performing arts center (10,000 sq. ft. or less).
- (32) Personal service establishment (5,000 sq. ft. of gross floor area or less), excluding drive-through facilities. Permitted dry cleaning personal service establishments shall be limited to drop-off/pick-up centers only.
- (33) Post office, drop-off and pick-up only.
- (34) Private club or lodge, less than 10,000 sq. ft.
- (35) Radio and television recording studio.
- (36) Recreation establishment, indoor, pursuant to Section 4-1010(D).
- (37) Repair service establishment (5,000 square feet of gross floor area or less), including repair of small household appliances, electronics, and similar scaled items, but not including vehicle or heavy equipment repair.

- (38) Restaurant, dine-in and carryout only, excluding drive-through facilities.
- (39) Restaurant, dinner theatre.
- (40) Restaurant, fast-food, excluding drive-through facilities.
- (41) Retail sales establishment, excluding drive-through facilities; maximum 75,000 sq. ft. No retail sales establishment that is located in a freestanding, single-story building shall contain more than 15,000 square feet of gross floor area.
- (42) Sewer pumping station.
- (43) Studio space – artist, craftsperson, writer, etc.
- (44) Telecommunications antenna, pursuant to Section 5-618(A).
- (45) Theater, indoor.
- (46) Transportation and public transit facilities to include transit stations, bus shelters and bicycle parking facilities, but not including park and ride (commuter parking) facilities.
- (47) Water pumping station.

**4-1005**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) The following uses are permitted by Special Exception in the Inner Core subarea:
  - (1) Animal Hospital (7,500 sq. ft. or less) in a completely enclosed facility.
  - (2) College, university, greater than 50,000 sq. ft. (exclusive of on-site student, faculty and/or employee housing facilities).
  - (3) Educational Institution, greater than 50,000 sq. ft.
  - (4) Funeral home or mortuary.
  - (5) Medical care facility, including hospital.
  - (6) Performing arts center (greater than 10,000 sq. ft.).
  - (7) Private club or lodge, greater than 10,000 sq. ft.
  - (8) School, private, accessory to a church.

- (9) School, public and private.
- (10) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (11) Transportation or transit facilities, limited to:
  - (a) Heliport or helistop.
  - (b) Dulles Toll Road Extended (DTRE) facilities.
- (12) Utility substation, dedicated.
- (13) Retail sales establishment, greater than 75,000 sq. ft., pursuant to Section 5-661.

(B) The following uses are permitted by Special Exception in the Outer Core subarea subject to the requirements and limitations of these regulations:

- (1) All uses permitted by Special Exception in the Inner Core subarea.
- (2) Food store (10,000 sq. ft. or greater).
- (3) Flex industrial space, pursuant to Section 5-608.
- (4) Light manufacture, processing, fabrication, and/or assembly of goods and products that does not generate noise, odor, vibration, or other hazard outside the boundaries of the subject property, pursuant to Section 4010(E). Such goods and products may include, but are not limited to: scientific and precision instruments; photographic equipment; communication or computation equipment; drugs, medicines, pharmaceutical; household appliances; toys, sporting and athletic goods; die-cut paperboard and cardboard; glass products made of purchased glass; electric lighting and wiring equipment; service industry machines; lithographic and printing processes; industrial controls; radio and TV receiving sets; watches and clocks; bags and containers; sanitary paper products; optical goods; and electrical machinery.
- (5) Off-street parking facility, freestanding, in a surface parking lot only.
- (6) Recycling drop-off collection center, small, pursuant to Section 5-607.
- (7) Stadiums and arenas.
- (8) Transportation or public transit facilities, limited to park and ride (commuter parking) facilities only.

**Section 4-1100**

**PD-TRC-Transit Related Center**

**4-1104**

**Permitted Uses.**

- (A) The following uses are permitted within the Inner Core subarea:
- (1) Art gallery.
  - (2) Auction House, pursuant to Section 4-1111(A).
  - (3) Automobile car sharing agency.
  - (4) Automobile rental agency, with on site automobile storage not to exceed 10 cars.
  - (5) Bank or financial institution, excluding drive-through facilities.
  - (6) Business service establishment.
  - (7) Child care facilities, pursuant to Section 5-609, or adult day care center.
  - (8) Church, synagogue, and temple.
  - (9) Civic, social and fraternal association meeting place.
  - (10) College, university, less than 50,000 sq. ft. (exclusive of on-site student, faculty, and/or employee housing facilities).
  - (11) Community center.
  - (12) Community Garden, not to exceed 20,000 square feet.
  - (13) Conference and training center.
  - (14) Congregate housing facility.
  - (15) Convenience Food Store.
  - (16) Convention or exhibition facility, associated only with a hotel/motel, not exceeding the floor print of the hotel/motel, and located above or below the first floor.
  - (17) Cultural amenities, e.g. fountains, ice rinks, reflecting pools.
  - (18) Dormitory, fraternity/sorority house, rooming/boarding house or other residence hall.
  - (19) Dwelling, above first floor commercial uses.

- (20) Dwelling, multi-family (minimum of 4 stories in height). A multi-family structure may be less than 4 stories in height if it is constructed between a parking structure and a street and effectively screens the parking structure from public view.
- (21) Educational Institution, less than 50,000 sq. ft.
- (22) Establishment for general research, scientific research, development and/or training where assembly, integration and testing of products in a completely enclosed building is incidental to the principal use of scientific research, development and training.
- (23) Facility for lessons in dance, gymnastics, judo and sports training (less than 5,000 square feet).
- (24) Fire, police and/or rescue station.
- (25) Health and fitness center.
- (26) Home service establishment.
- (27) Hotel/Motel, pursuant to Section 4-1111(B).
- (28) Library.
- (29) Off-street parking facility, freestanding (serving two or more lots).
- (30) Public transit facilities to include bus shelters and bicycle parking facilities.
- (31) Medical care facility, outpatient only.
- (32) Museum, cultural center, arboretum.
- (33) Offices, administrative, business, and professional.
- (34) Park, playground or plaza (public or private).
- (35) Performing arts center (10,000 sq. ft. or less).
- (36) Personal service establishment.
- (37) Post office, drop-off and pick-up only.
- (38) Private club or lodge, less than 10,000 sq. ft.
- (39) Radio and television recording studio.
- (40) Recreation establishment, indoor, pursuant to Section 4-1111(D).

- (41) Repair service establishment.
  - (42) Restaurant (dine-in and carryout only).
  - (43) Restaurant, dinner theatre.
  - (44) Restaurant, fast-food without drive-through facilities.
  - (45) Retail/Food and Beverage Sales – Ambulatory Vendors and Mobile Vending Carts, pursuant to Section 4-1111(E).
  - (46) Retail sales establishment, maximum 75,000 sq. ft.
  - (47) Sewer pumping station.
  - (48) Studio space – artist, craftsperson, writer, etc.
  - (49) Telecommunications antenna, pursuant to Section 5-618(A).
  - (50) Theater, indoor.
  - (51) Water pumping station.
- (B) The following uses are permitted in the Outer Core subarea:
- (1) All uses permitted in the Inner Core subarea.
  - (2) Dwelling, Single Family Attached.
  - (3) Dwelling, Single Family Detached, pursuant to Section 4-1111(G).
- (C) The following uses are permitted in the Transit-Designed Supportive Area unless otherwise excluded through an approved Concept Development Plan:
- (1) All uses permitted in the Outer Core Subareas.
  - (2) Animal Hospital.
  - (3) Dwelling, multifamily (4 stories or less in height).
  - (4) Recycling drop-off collection center, pursuant to Section 5-607.
  - (5) Food store, (~~10,000 sq. ft. or greater~~ less than 75,000 sq. ft.).
  - (6) A single retail use may not exceed 10,000 sq. ft. in gross floor area.

#### 4-1105

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors, and, if approved may be subject to certain conditions, pursuant to the provisions of Section 6-1300.

- (A) The following uses are permitted by Special Exception in the Inner Core subarea:
- (1) College, university, greater than 50,000 sq. ft.
  - (2) Educational Institution, greater than 50,000 sq. ft.
  - (3) Funeral home or mortuary.
  - (4) Medical care facility, including hospital.
  - (5) Performing arts center (greater than 10,000 sq. ft.).
  - (6) Private club or lodge (greater than 10,000 sq. ft.).
  - (7) School, private, accessory to a church.
  - (8) School, public and private.
  - (9) Telecommunications monopole, pursuant to Section 5-618(B)(2).
  - (10) Transportation or transit facilities, limited to:
    - (a) Heliport or helistop.
    - (b) DTRE facilities.
  - (11) Urban deck.
  - (12) Utility substation, dedicated.
  - (13) Retail sales establishment, greater than 75,000 sq. ft., pursuant to Section 5-661.
- (B) The following uses are permitted by Special Exception in the Outer Core subarea subject to the requirements and limitations of these regulations:
- (1) All uses permitted by Special Exception in the Inner Core subarea.
  - (2) Commuter parking facilities, structured or planned to be structured.
  - (3) Convention or exhibition facility.
  - (4) Dog Park.
  - (5) Stadiums and Arenas.
  - (6) Storage, mini-warehouse, pursuant to Section 4-1111(F).
- (C) The following uses are permitted by Special Exception in the Transit-Designed Supportive Area, unless otherwise excluded through an approved



Concept Development Plan, and, if approved, may be subject to certain conditions, pursuant to the provisions of Section 6-1300:

- (1) All uses permitted by Special Exception in the Outer Core subarea, except:
  - (a) Retail/Food and Beverage Sales – Ambulatory Vendors and Mobile Vending Carts.
  - (b) Urban Deck.
- (2) Automobile service station.
- (3) Bank or financial institution, with drive-through facilities.
- (4) Commuter parking facilities, structured or surface.
- (5) Convenience retail establishment with accessory gas pumps and/or car wash.
- (6) Pharmacy, with drive-through facilities.
- (7) Any one retail use in excess of 10,000 sq. ft.
- (8) Food store, greater than 75,000 sq. ft., pursuant to Section 5-661.

**Section 4-1350**

**PD-MUB Planned Development-Mixed Use Business District**

**4-1353**

**Permitted Uses.** The following uses shall be permitted in any PD-MUB District subject to the requirements and limitations of these regulations.

**(A) Employment Uses.**

- (1) Offices, administrative, business or professional.
- (2) Research and development.

**(B) Commercial Uses.**

- (1) Banks or other financial institutions, without drive-throughs.
- (2) Health and fitness center.
- (3) Offices, medical and dental.
- (4) Child care center, pursuant to Section 5-609(B).
- (5) Adult day care center.
- (6) Business service establishment.
- (7) Hotel/motel, pursuant to Section 5-611.
- (8) Conference or training center.
- (9) Personal service establishments.
- (10) Retail sales establishments, excluding drive-throughs; maximum 75,000 sq. ft.
- (11) Restaurants, including carry-out but excluding drive-throughs.
- (12) Restaurant, dinner theater.
- (13) Convenience food stores, pursuant to Section 5-617.
- (14) Banquet facility/Event facility.
- (15) Art gallery.
- (16) Theater, indoor.
- (17) Art Studio

**(C) Residential Uses.**

- (1) Dwellings, multifamily.
- (D) **Public, Civic, Institutional Uses.**
  - (1) Educational institution.
  - (2) Public use, excluding schools.
  - (3) Park, Neighborhood.
  - (4) Church, synagogue, temple or mosque.
  - (5) Community center.
  - (6) Cultural center.

(E) **Utility Uses.**

- (1) Water pumping station, pursuant to Section 5-621.
- (2) Sewer pumping station, pursuant to Section 5-621.

**4-1354**

**Special Exception Uses.** The following uses may be approved by the Board of Supervisors and may be subject to conditions pursuant to Section 6-1300.

(A) **Employment Uses.**

- (1) Flex-industrial uses, pursuant to Section 5-608.
- (2) Manufacturing, processing, fabrication and or assembly of products.
- (3) Wholesale Trade Establishment.

(B) **Commercial Uses.**

- (1) Medical facilities, outpatient only.
- (2) Commercial uses with drive-throughs, pursuant to Section 5-659.
- (3) Gas pumps accessory to a convenience store, pursuant to Section 5-617.
- (4) Automobile service station
- (5) Retail sales establishment, greater than 75,000 sq. ft.; excluding drive-throughs, pursuant to Section 5-661.

(C) **Residential Uses.**

- (1) Dwellings, single family attached.

**(D) Public, Civic, Institutional Uses.**

- (1) Heliport, helistop.
- (2) Radio, radar or television tower.
- (3) Hospitals, pursuant to Section 5-610.
- (4) Continuing care facility.
- (5) School.
- (6) Outdoor amphitheater

**(E) Utility Uses.**

- (1) Telecommunications uses and/or structures, pursuant to Section 5-618.

**5-661** **Large Retail Sales Establishment or Large Construction Retail Establishment.** A Retail sales establishment or Construction retail establishment in excess of 75,000 sq. ft. shall be permitted only by special exception pursuant to Section 6-1300 and are subject to the additional provisions below.

**(A) Locational Criteria.**

- (1) The use may be located within a freestanding building or be part of a shopping center, may share parking areas and vehicular travel ways with other buildings or uses and may be connected by walkways and access ways to other buildings or uses.
- (2) The use shall be located on, or with ready access to, collector or arterial roads.

**(B) Site Development Criteria.**

- (1) The use shall be compatible with and not adversely impact the surrounding area, particularly with regard to scale, massing, building design, traffic circulation, parking, and buffering.
- (2) Architectural detailing shall be incorporated into all facades so as to avoid a blank or monotonous appearance on any façade. Such detailing may include variations in roof lines, variations in building setbacks, landscaping and enhancements to all sides of a building.
- (3) The building shall be oriented toward the street with pedestrian entrances from the street.
- (4) Pedestrian and bicycle circulation shall be designed to coordinate on-site and off-site circulation.
- (5) Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood and shall not be visible from the street.
- (6) All business, service, storage, and display of goods shall be conducted within a completely enclosed building, and all refuse shall be contained in completely enclosed facilities.
- (7) Outdoor seating, service, storage and display that is clearly subordinate to the principal use may be permitted provided the area is indicated on the special exception plat. Service, storage and display areas in excess of 250 square feet shall be fully screened using structures and material and design elements compatible with those used in the principal structure. Screening methods shall include solid fences, walls, berms, evergreen hedges or a combination thereof.

**(C) Exterior Lighting Standards. Outdoor lighting shall be designed to minimize impacts on adjacent properties and shall comply with the standards of Section 5-1504.**

- (D) Noise Standards. The use shall be designed to minimize noise from impacting on adjacent properties and shall comply with the standards of Section 5-1507.
- (E) Landscaping/Buffering/Screening. The use shall comply with the buffering standards of Section 5-1400. If an adjacent property is zoned for or developed as residential use, a minimum of a fifty (50) foot Type 3 buffer shall be required at the property line.
- (F) Parking.
  - (1) Parking and loading shall be provided as required by Section 5-1102.
  - (2) Parking shall be located behind the front line of the principal building.

#### **ARTICLE 8, DEFINITIONS:**

**Food Store:** A retail establishment primarily selling food, as well as other convenience and household goods. A Food Store shall not exceed 75,000 square feet without Special Exception approval.

**Retail, Construction Establishment:** Buildings or land used for sale of construction materials at retail or for the rendering of construction services including, but not limited to, coal, wood, and lumber yards. A Construction retail sales establishment shall not exceed 75,000 square feet without Special Exception approval.

Retail, Construction Establishment (Large): A Construction retail establishment exceeding 75,000 square feet and subject to Additional Regulations specified in Section 5-600,

**Retail Sales Establishment:** Buildings or land used for sale of merchandise at retail or for the rendering of personal services including, but not limited to, the following: pharmacy, newsstand, food store, candy shop, milk dispensary, dry goods and notions store, antique store and gift shop, hardware store, quick print shop, household appliance store, furniture store, florist, music and radio store; but specifically excluding coal, wood and lumber yards. A Retail sales establishment shall not exceed 75,000 square feet without Special Exception approval.

Retail Sales Establishment (Large): A Retail sales establishment exceeding 75,000 square feet and subject to Additional Regulations specified in Section 5-600.